

375-5-1-.04 ~~Clinic Requirements: Application~~ Driver Improvement Clinic License

1. Clinic Requirements: Application

- (1a) Any individual, partnership, corporation, association, civic group, club, county, municipality, board of education, school, or college desiring to be licensed or certified as a Driver Improvement Clinic in the State of Georgia shall complete an application to the Department on a form prepared and furnished by the Department, which shall include:
 - (a) The title or name of the clinic together with complete ownership and name and addresses of directors, officers and controlling stockholders therein.
 - (b) The place or places where such instruction will be given.
- (2b) The application by the owner, partners, officers, or controlling stockholders of any Driver Improvement Clinic shall be accompanied by two sets of fingerprints of each digit of the right and left hands, an affidavit from a state, county or city officer qualified to make such fingerprints that the fingerprints are those of the applicant(s), and a processing fee for the actual cost of processing for each set of fingerprint cards.
- (3c) The application by the owner, partners, officers or controlling stockholders of any Driver Improvement Clinic shall be accompanied by one photograph of the applicant(s). The photograph shall have been taken within thirty days of the date of filing the application and must show a full view of the face, neck, shoulders, and uncovered head.
- (4d) The application must contain a notarized certification of the adopted business name if such business is to be conducted under an adopted business name.
- (5e) The applicant must submit to the Department, in addition to all other requirements, the following:
 - (a) Samples of any and all contracts to be used by the clinic.
 - (b) Sample copies of all forms to be used by the clinic which will be furnished or delivered to its students.
 - (c) Sample copies of all forms or receipts to be used by the clinic.
 - (d) A list designating the full names and addresses of all instructors of the clinic.
- (6f) It shall be the duty and responsibility of the clinic owner(s) to submit the renewal form and all other required items at least thirty days prior to the date of expiration to the Department. Absent good cause, noncompliance will require that the owner submit an application which will be considered under the statutes, rules and regulations then in force with regard to new applicants.
- (7g) Every clinic shall be inspected by the respective municipal or county government to ensure compliance with fire and building requirements. Copies of these inspectional reports shall be made available upon request of the Department.
- (8h) It shall be the duty and responsibility of the clinic owner(s) to issue to each student who has passed the course a Certificate of Completion. Such a certificate shall only be issued

to students who obtain seventy points out of a possible one hundred points on a comprehensive written examination of the course material. If the student is illiterate, the instructor may administer an oral examination in the format prescribed by the Department. Clinic owner(s) shall provide each student with a Certificate of Completion in the format prescribed by the Department for reinstatement, point's reduction, out of state reinstatement, or as required by a court. When a Certificate of Completion is issued for the purpose of reinstatement, point's reduction, out of state reinstatement, or as required by a court, the student's stated purpose for taking the course shall be appropriately noted as required by the format of the Certificate of Completion. A class roster shall be submitted to the Department within three (3) business days following the completion of the class indicating the reason(s) for taking the class. Students who are taking a class for the purpose of insurance reduction only, without any requirement by any court, Department point reduction or reinstatement purpose, or out of state reinstatement, shall be issued a Certificate of Completion appropriately noted as required by the format of the Certificate. The fee for such class shall be determined by the driver improvement clinic. Such fee cannot exceed the fee for a defensive driving course. The Certificate issued for insurance reduction only cannot be used for reinstatement, point's reduction, out of state reinstatement or as required by a court.

- (9i) Every original application for a Driver Improvement Clinic License must be accompanied by a license fee of \$200.00 payable as prescribed by these Rules and Regulations which shall be refunded by the Department if the license is denied.
- (10j) Each license issued for a Driver Improvement Clinic shall expire four years from the date on which the license was issued, each license must be renewed in the manner prescribed by the Department. The fee for such renewal shall be \$100.00 payable as prescribed in these Rules and Regulations. Each application for renewal must be accompanied by a current surety bond continuation certificate and by a current certificate of curriculum approval.
- (11k) Owners that allow their Clinic's license to expire will not be permitted to operate the Clinic under any condition during the period in which the License is expired. All forms and correspondence submitted to the Department shall bear the expiration date of the clinic license thereon.
- (12l) Each clinic is responsible for the security and safekeeping of all certificates of completion, from issuance by the Department to the clinic until properly awarded to the student.
- (13m) A clinic may, at the election of the licensee, submit an individual surety bond in the amount of \$2,500.00 or, if more than one clinic shares common ownership, submit a surety bond providing coverage in the amount of \$2,500.00 per location (i.e., for ten clinics, a surety bond in the amount of \$25,000.00). If this option is elected, the certificate must clearly demonstrate coverage for each clinic for which coverage is to be provided.

2. Nontransferability

- (a) Any license for a Driver Improvement Clinic shall be nontransferable. In the event of a change of ownership, except in the case of a corporation unless there is a sale of the controlling interest, application for a new license shall be made to the Department and the old license surrendered to the Department before another license can be issued to the new owner(s).
- (b) The application for a license by a new owner shall be made in the same manner as for an original license for a Driver Improvement Clinic and the fee shall be the same as for an original license.

3. Display of License

- (a) The Driver Improvement Clinic license must be clearly displayed in a conspicuous location at all times.
- (b) If either the clinic license or instructor's certificate is lost, mutilated or destroyed, a duplicate will be issued by the Department upon receipt of an affidavit stating the following:
 - (i) The date the license or certificate was lost, mutilated or destroyed.
 - (ii) The circumstances of the loss, mutilation or destruction.
- (c) The fee for a duplicate license or certificate shall be the same as the fee for a renewal of the license or certificate.

O.C.G.A. Secs. [40-5-4](#), [40-5-83](#)

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of the amendment is to update the existing rule and consolidate three (3) rules to form one (1) comprehensive rule to streamline state government regulations.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

The proposed amendments will clarify and streamline rules and regulations related to licensing driver improvement clinics.